

Application No. 10/609,162
Response to Final Office Action

Customer No. 01933

R E M A R K S

Reconsideration of this application, as amended, is respectfully requested.

THE CLAIMS

Claim 2 has been amended to incorporate the subject matter of (now canceled) claim 10, and claims 8 and 13 have been amended to be rewritten in independent form.

In addition, claims 8 and 13 have been amended to clarify that the widths of the crown portions of the projections and the gap portions between the projections are measured along a direction of arrangement of the projections.

No new matter has been added, and no new issues with respect to patentability have been raised. Accordingly, it is respectfully requested that the amendments to claims 2, 8 and 13 be approved and entered under 37 CFR 1.116.

THE PRIOR ART REJECTION

Claims 2, 5, 6, 8, 10 and 13-25 were rejected under 35 USC 102 as being anticipated by JP 02-206140 ("Okabe"), and claims 26 and 27 were rejected under 35 USC 103 as being obvious in view of the combination of Okabe and JP 2002-076064 ("Odaka"). These rejections, however, are respectfully traversed with respect to the claims as amended hereinabove.

Application No. 10/609,162
Response to Final Office Action

Customer No. 01933

On page 3 of the Office Action, the Examiner asserts that Okabe discloses, in particular, the subject matter of claims 8, 10 and 13. In support of each of these assertions, the Examiner refers to element 10a in Fig. 3 of Okabe.

It is respectfully submitted, however, that Okabe does not disclose, teach or suggest the features of the present invention now recited in amended independent claims 2, 8 and 13.

With respect to the subject matter of now canceled claim 10, which is now recited in amended independent claim 2, the Examiner asserts that Okabe et al shows in Fig. 3 thereof that an amount by which the projection provided at one widthwise end of the plate-like protective film is shifted with respect to a corresponding projection at another widthwise end is not smaller than $1/4$ pitch and is not larger than $3/4$ pitch.

It is respectfully pointed out, however, that Fig. 3 of Okabe is a cross-sectional view of the wound spacer film and film carriers. Clearly, a cross-sectional view of the spacer film cannot show two widthwise ends of the spacer film.

In addition, it is respectfully pointed out that it is Fig. 1(a) of Okabe that in fact shows projections positioned at two widthwise ends of the spacer film (the top and bottom of Fig. 1(a)). Fig. 1(a) of Okabe, however, does not even remotely suggest that the projections at the top of Fig. 1(a) (at one widthwise end) are shifted with respect to the projections at the

Application No. 10/609,162
Response to Final Office Action

Customer No. 01933

bottom of Fig. 1(a) (at the other widthwise end) in the manner recited in amended independent claim 2. And the written disclosure in the specification of Okabe also does not disclose, teach or suggest this feature of the present invention.

It is respectfully submitted, therefore, that Okabe clearly does not disclose, teach or suggest the feature of the present invention as recited in amended independent claim 2 whereby an amount by which the projection provided at one widthwise end of the plate-like protective film is shifted with respect to a corresponding projection at another widthwise end is not smaller than $1/4$ pitch and is not larger than $3/4$ pitch.

With respect to amended independent claims 8 and 13, moreover, the Examiner asserts that Fig. 3 of Okabe shows both that the plurality of crown portions of the projections have different widths, as recited in amended independent claim 8, and that respective gap portions are formed between the plurality of projections, and the respective gap portions have at least two different widths, as recited in amended independent claim 13.

It is respectfully submitted, however, that Fig. 3 of Okabe does not show any such structures. Indeed, it is respectfully submitted that Figs. 1(a), 1(b) and 3 of Okabe et al show equidistant projections with crown portions of equal lengths, and it is respectfully pointed out that Okabe discloses at the bottom of the third page of the translation thereof that the peak parts

Application No. 10/609,162
Response to Final Office Action

Customer No. 01933

10a are 3mm long. Okabe does not disclose, teach or suggest that there is variation in the lengths of the peak parts, and Okabe does not disclose, teach or suggest that there is variation in the distances between the projections.

Therefore, it is respectfully submitted that Okabe clearly does not disclose, teach or suggest the feature of the present invention as recited in amended independent claim 8, whereby the plurality of crown portions have different widths measured along a direction of arrangement of the projection, nor the feature of the present invention as recited in amended independent claim 13, whereby respective gap portions are formed between the plurality of projections, and the respective gap portions have at least two different widths measured along a direction of arrangement of the projections.

In view of the foregoing, it is respectfully submitted that the present invention as recited in amended independent claims 2, 8 and 13, as well as claims 5, 6 and 14-25 depending from claim 2 and claims 26 and 27 depending from claim 13, clearly patentably distinguishes over Okabe, taken singly or in combination with Odaka, under 35 USC 102 as well as under 35 USC 103.

* * * * *

Entry of this Amendment, allowance of the claims and the passing of this application to issue are respectfully solicited.


-12-

Application No. 10/609,162
Response to Final Office Action

Customer No. 01933

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,


Douglas Holtz
Reg. No. 33,902

Frishauf, Holtz, Goodman & Chick, P.C.
220 Fifth Avenue - 16th Floor
New York, New York 10001-7708
Tel. No. (212) 319-4900
Fax No. (212) 319-5101

DH:iv